



Attorney Docket No. 82274.472020

RESPONSE TO NON-COMPLIANT

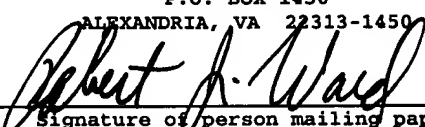
AMENDMENT

Customer No. 24347

SERIAL NO. 09/800,387

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail Certificate Under 37 C.F.R. §1.10	
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 316157636 US	
DATE OF DEPOSIT:	August 12, 2003
I, Robert J. Ward, hereby certify that this paper (along with any papers and fees referred to as being attached or enclosed or actually enclosed) is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above, with sufficient postage, and is addressed as follows:	
COMMISSIONER FOR PATENTS	
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Signature of person mailing paper	

In re Application of:

Krout et al.

Serial No.:

09/800,387

Filing Date:

March 5, 2001

Group Art Unit:

3679

Examiner:

Collins, Giovanna M.

For:

**Polyfusion Pipe Repair System and Method**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT  
AMENDMENT MAILED JUNE 12, 2003**

Sir:

Applicants received a Notice of Non-Compliant Amendment (Voluntary Revised Practice) in response to Applicants' filing of an Amendment and Response to Office Action Mailed December 4, 2002, which was previously timely filed on June 3, 2003. The

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Notice of Non-Compliant Amendment indicated that Applicants' Amendment and Response was a *bona fide* response but indicated Applicants needed "to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment." The Notice of Non-Compliant Amendment indicated that each "claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined."

In compliance with the Notice of Non-Compliant Amendment and according to the U.S. Patent and Trademark Office correspondence from Deputy Commissioner Stephen G. Kunin entitled "Amendments Permitted under the Revised Amendment Practice and Treatment of Non-Compliant Amendments" and dated July 11, 2003, Applicants may only resubmit those sections that are indicated to be non-compliant. As such, Applicants resubmit the enclosed section entitled AMENDMENTS TO THE CLAIMS as Exhibit A.

In addition to making the corrections as required by the Notice of Non-Compliant Amendment, Applicants have also amended Claim 22 to remove a redundant occurrence of the word "the."

Applicants received the Notice of Non-Compliant Amendment, which was mailed on June 12, 2003 and provides for a one-month period to respond until July 12, 2003. If the accompanying Petition for a One-Month Extension of Time is granted, Applicants' response will be due on August 12, 2003. Thus,

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Applicants' Response to Notice of Non-Compliant Amendment is being timely filed. Applicants request consideration and timely entry of this response.

To the extent that any further fees are required during the pendency of this Application, including petition fees, the Commissioner is hereby authorized to charge payment of any additional fees, including, without limitation, any fees under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 23-3189 of Hunton & Williams (Dallas) and reference Attorney Docket No. 82274.472020. In the event that any additional time is needed for this filing, or any additional time in excess of that requested in a petition for an extension of time, please consider this a petition for an extension of time for any needed extension of time pursuant to 37 C.F.R. § 1.136 or any other section or provision of Title 37. Applicants respectfully request that the Commissioner grant any such petition and authorize the Commissioner to charge the Deposit Account referenced above. Please credit any overpayments to this same Deposit Account.

Please address all future correspondence to:

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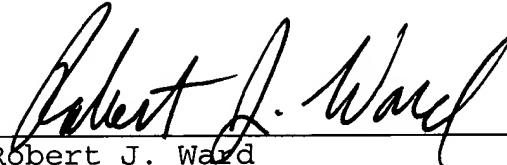
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Respectfully submitted,

A handwritten signature in cursive script, reading "Robert J. Ward", is written over a horizontal line.

Robert J. Ward

Registration No. 38,652

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ATTORNEY FOR APPLICANTS

August 12, 2003

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## **EXHIBIT A**